

PC1/0502/00237

First Written Opinion (408) with Application File Due in PCT on:

(2 months from date IPE file first sent to Group.)

(2) If the response to the 408 is received by 21 months from the priority date of the application, a second 408 may be sent, with as little as a one month time limit for reply.

11 Apr 03  
(usually 27 months from Priority Date)

21/8/2

The demand must be filed directly with the competent International Preliminary Examining Authority or, if two or more Authorities are competent with the one chosen by the applicant. The full name or two-letter code of that Authority may be indicated by the applicant on the line below:

IPEA/ US

# PCT

## CHAPTER II

### DEMAND

under Article 31 of the Patent Cooperation Treaty:

The undersigned requests that the international application specified below be the subject of international preliminary examination according to the Patent Cooperation Treaty and hereby elects all eligible States (except where otherwise indicated).

For International Preliminary Examining Authority use only		
Identification of IPEA <u>/US</u>	Date of receipt of DEMAND	
<b>Box No. I IDENTIFICATION OF THE INTERNATIONAL APPLICATION</b>		
Applicant's or agent's file reference 33038WO		
International application No. PCT/US02/00237	International filing date (day/month/year) 07 January 2002 (07.01.02)	(Earliest) Priority date (day/month/year) 11 January 2001 (11.01.01)
Title of invention OSTOMY POUCH AND METHOD OF ASSEMBLY		
<b>Box No. II APPLICANT(S)</b>		
Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)  MARLEN MANUFACTURING AND DEVELOPMENT CO., INC. 5150 Richmond Road Bedford, Ohio 44146		Telephone No.
		Facsimile No.
		Teleprinter No.
		Applicant's registration No. with the Office
State (that is, country) of nationality: <u>US</u>		State (that is, country) of residence: <u>US</u>
Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)		
State (that is, country) of nationality:		State (that is, country) of residence:
Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)		
State (that is, country) of nationality:		State (that is, country) of residence:
Name and address: (Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)		
State (that is, country) of nationality:		State (that is, country) of residence:
<input type="checkbox"/> Further applicants are indicated on a continuation sheet.		

Sheet No. 2.

International application No.  
PCT/US02/00237**Box No. III AGENT OR COMMON REPRESENTATIVE; OR ADDRESS FOR CORRESPONDENCE**The following person is ☒ agent ☐ common representativeand ☒ has been appointed earlier and represents the applicant(s) also for international preliminary examination.☐ is hereby appointed and any earlier appointment of (an) agent(s)/common representative is hereby revoked.☐ is hereby appointed, specifically for the procedure before the International Preliminary Examining Authority, in addition to the agent(s)/common representative appointed earlier.Name and address: *(Family name followed by given name; for a legal entity, full official designation. The address must include postal code and name of country.)*

SCHILLER, Thomas P.                      Reg. No. 20677  
 GARVEY, Michael W.                      Reg. No. 35878  
 Pearne & Gordon LLP  
 526 Superior Avenue East, Suite 1200  
 Cleveland, Ohio 44114-1484  
 United States

Telephone No.  
216-579-1700Facsimile No.  
216-579-6073

Teleprinter No.

Agent's registration No. with the Office

☐ Address for correspondence: Mark this check-box where no agent or common representative is/has been appointed and the space above is used instead to indicate a special address to which correspondence should be sent.**Box No. IV BASIS FOR INTERNATIONAL PRELIMINARY EXAMINATION****Statement concerning amendments:\***

1. The applicant wishes the international preliminary examination to start on the basis of:

☒ the international application as originally filedthe description ☒ as originally filed  
☐ as amended under Article 34the claims ☒ as originally filed  
☐ as amended under Article 19 (together with any accompanying statement)  
☐ as amended under Article 34the drawings ☒ as originally filed  
☐ as amended under Article 342. ☐ The applicant wishes any amendment to the claims under Article 19 to be considered as reversed.3. ☐ The applicant wishes the start of the international preliminary examination to be postponed until the expiration of 20 months from the priority date unless the International Preliminary Examining Authority receives a copy of any amendments made under Article 19 or a notice from the applicant that he does not wish to make such amendments (Rule 69.1(d)). *(This check-box may be marked only where the time limit under Article 19 has not yet expired.)*

\* Where no check-box is marked, international preliminary examination will start on the basis of the international application as originally filed or, where a copy of amendments to the claims under Article 19 and/or amendments of the international application under Article 34 are received by the International Preliminary Examining Authority before it has begun to draw up a written opinion or the international preliminary examination report, as so amended.

Language for the purposes of international preliminary examination: English☒ which is the language in which the international application was filed.☐ which is the language of a translation furnished for the purposes of international search.☐ which is the language of publication of the international application.☐ which is the language of the translation (to be) furnished for the purposes of international preliminary examination.**Box No. V ELECTION OF STATES**The applicant hereby elects all eligible States *(that is, all States which have been designated and which are bound by Chapter II of the PCT)*

excluding the following States which the applicant wishes not to elect:

Sheet No. 3

International application No.  
PCT/US02/00237**Box No. VI CHECK LIST**

The demand is accompanied by the following elements, in the language referred to in Box No. IV, for the purposes of international preliminary examination:

- |  |   |        |
|--|---|--------|
| 1. translation of international application                              | : | sheets |
| 2. amendments under Article 34   | : | sheets |
| 3. copy (or, where required, translation) of amendments under Article 19 | : | sheets |
| 4. copy (or, where required, translation) of statement under Article 19  | : | sheets |
| 5. letter  | : | sheets |
| 6. other (specify)   | : | sheets |

For International Preliminary  
Examining Authority use only

received

not received

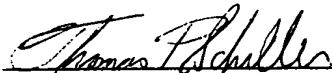
<input type="checkbox"/>	<input type="checkbox"/>
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<input type="checkbox"/>	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>

The demand is also accompanied by the item(s) marked below:

- |   |  |
|---|--|
| 1. <input checked="" type="checkbox"/> fee calculation sheet                                | 5. <input type="checkbox"/> statement explaining lack of signature     |
| 2. <input type="checkbox"/> original separate power of attorney                             | 6. <input type="checkbox"/> sequence listing in computer readable form |
| 3. <input type="checkbox"/> original general power of attorney                              | 7. <input type="checkbox"/> other (specify):                           |
| 4. <input type="checkbox"/> copy of general power of attorney;<br>reference number, if any: |  |

**Box No. VII SIGNATURE OF APPLICANT, AGENT OR COMMON REPRESENTATIVE**

Next to each signature, indicate the name of the person signing and the capacity in which the person signs (if such capacity is not obvious from reading the demand).

Thomas P. Schiller  
Attorney for ApplicantAugust 9, 2002  
Date

(09.08.02)

For International Preliminary Examining Authority use only

1. Date of actual receipt of DEMAND:

DT17 Rec'd PCT/PTO 09 AUG 2002

2. Adjusted date of receipt of demand due  
to CORRECTIONS under Rule 60.1(b):3. ☐ The date of receipt of the demand is AFTER the expiration of 19 months  
from the priority date and item 4 or 5, below, does not apply.☐ The applicant has been  
informed accordingly.4. ☐ The date of receipt of the demand is WITHIN the period of 19 months from the priority date as extended by virtue of  
Rule 80.5.5. ☐ Although the date of receipt of the demand is after the expiration of 19 months from the priority date, the delay in arrival  
is EXCUSED pursuant to Rule 82.

For International Bureau use only

Demand received from IPEA on:

## PCT

## FEE CALCULATION SHEET

## Annex to the Demand

International application No. <b>PCT/US02/00237</b>	For International Preliminary Examining Authority use only  <div style="text-align: right; font-size: 1.2em; font-weight: bold;">09 AUG 2002</div>																		
Applicant's or agent's file reference <b>33038WO</b>	Date stamp of the IPEA																		
Applicant  <b>MARLEN MANUFACTURING AND DEVELOPMENT CO., INC.</b>																			
<div style="border: 1px solid black; padding: 5px;"> <b>CALCULATION OF PRESCRIBED FEES</b> </div> <div style="margin-top: 10px;"> <table style="width: 100%;"> <tr> <td style="width: 60%;">1. Preliminary examination fee .....</td> <td style="width: 20%; text-align: center;">490.00</td> <td style="width: 20%; text-align: center; border: 1px solid black;">P</td> </tr> <tr> <td colspan="3" style="height: 20px;"></td> </tr> <tr> <td>2. Handling fee (<i>Applicants from certain States are entitled to a reduction of 75% of the handling fee. Where the applicant is (or all applicants are) so entitled, the amount to be entered at H is 25% of the handling fee.</i>) .....</td> <td style="text-align: center;">146.00</td> <td style="text-align: center; border: 1px solid black;">H</td> </tr> <tr> <td colspan="3" style="height: 20px;"></td> </tr> <tr> <td>3. Total of prescribed fees Add the amounts entered at P and H and enter total in the TOTAL box .....</td> <td style="text-align: center; border: 1px solid black;">636.00</td> <td></td> </tr> <tr> <td></td> <td colspan="2" style="text-align: center; border: 1px solid black;">TOTAL</td> </tr> </table> </div>		1. Preliminary examination fee .....	490.00	P				2. Handling fee ( <i>Applicants from certain States are entitled to a reduction of 75% of the handling fee. Where the applicant is (or all applicants are) so entitled, the amount to be entered at H is 25% of the handling fee.</i> ) .....	146.00	H				3. Total of prescribed fees Add the amounts entered at P and H and enter total in the TOTAL box .....	636.00			TOTAL	
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	TOTAL																		
<div style="border: 1px solid black; padding: 5px;"> <b>MODE OF PAYMENT</b> </div> <table style="width: 100%; margin-top: 5px;"> <tr> <td><input type="checkbox"/> authorization to charge deposit account with the IPEA (see below)</td> <td><input type="checkbox"/> cash</td> </tr> <tr> <td><input checked="" type="checkbox"/> cheque</td> <td><input type="checkbox"/> revenue stamps</td> </tr> <tr> <td><input type="checkbox"/> postal money order</td> <td><input type="checkbox"/> coupons</td> </tr> <tr> <td><input type="checkbox"/> bank draft</td> <td><input type="checkbox"/> other (specify):</td> </tr> </table>		<input type="checkbox"/> authorization to charge deposit account with the IPEA (see below)	<input type="checkbox"/> cash	<input checked="" type="checkbox"/> cheque	<input type="checkbox"/> revenue stamps	<input type="checkbox"/> postal money order	<input type="checkbox"/> coupons	<input type="checkbox"/> bank draft	<input type="checkbox"/> other (specify):										
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<div style="border: 1px solid black; padding: 5px;"> <b>AUTHORIZATION TO CHARGE (OR CREDIT) DEPOSIT ACCOUNT</b>  <i>(This mode of payment may not be available at all IPEAs)</i> </div> <table style="width: 100%; margin-top: 5px;"> <tr> <td style="width: 50%; vertical-align: top;"> <input type="checkbox"/> Authorization to charge the total fees indicated above.   <input checked="" type="checkbox"/> <i>(This check-box may be marked only if the conditions for deposit accounts of the IPEA so permit)</i> Authorization to charge any deficiency or credit any overpayment in the total fees indicated above.       </td> <td style="width: 50%; vertical-align: top;">         IPEA/ <u>US</u>           Deposit Account No.: <u>16-0820</u>           Date: <u>August 9, 2002</u>           Name: <u>Thomas P. Schiller</u>           Signature: <u>Thomas P. Schiller</u> </td> </tr> </table>		<input type="checkbox"/> Authorization to charge the total fees indicated above.  <input checked="" type="checkbox"/> <i>(This check-box may be marked only if the conditions for deposit accounts of the IPEA so permit)</i> Authorization to charge any deficiency or credit any overpayment in the total fees indicated above.	IPEA/ <u>US</u>  Deposit Account No.: <u>16-0820</u>  Date: <u>August 9, 2002</u>  Name: <u>Thomas P. Schiller</u>  Signature: <u>Thomas P. Schiller</u>																
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